

Procedure for
removal of fence.

SEC. 45. That whenever any road overseer shall deem any fence too near the road over which he has supervision, he may apply to the board of road trustees of said township, giving the name or names of the parties whose fence or fences he deems too close to the road, and said board shall within a reasonable time thereafter notify said parties, and appoint a time and place when said board shall hear both the overseer and said parties, and may, upon such terms and conditions as to them seems just, order said fence moved; that it shall be unlawful for any overseer or hands to dig under or undermine any fence along any public road in Ashe County, but if any fence is too near the public road, shall proceed as above provided to remedy such evil; and any overseer or hand violating this provision of this section shall be guilty of a misdemeanor, and fined or imprisoned, in the discretion of the court.

Undermining fence
forbidden.

Misdemeanor.

Punishment.
Petition for road
in two or more
townships.

SEC. 46. That whenever any new public road is petitioned for to be established, and said proposed new road extends into two or more townships, then the same shall be heard by a joint meeting to be agreed upon by the chairmen of the boards of road trustees of the several townships through which said proposed road would run, and a majority of said trustees shall settle all questions arising concerning the same.

Payment of road
orders.

SEC. 47. That all expenses and wages provided for in this act shall be paid by the treasurers of the boards of road trustees in their respective townships where they are incurred, upon an order signed by the chairman of said board and at least one other member of said board, so long as there are any funds in said treasurers' hands, or due said treasurers, but if there be no funds in said treasurers' hands, then by the board of county commissioners upon an order signed by the board of road trustees and the treasurer of said township, also certifying that there are no funds in said treasurer's hands and now due said townships to pay said claim.

Special tax
authorized.

SEC. 48. That the board of commissioners of Ashe County may in their discretion at their May meeting, one thousand nine hundred and fourteen, and annually thereafter, levy a special tax of not exceeding ten cents upon every hundred dollars worth of property in the county for road purposes, which shall be collected along with the other taxes, and turned over by the Sheriff of Ashe County to the respective treasurers of the road trustees for the several townships, the amount so due each township, who shall spend the same as provided for under the provisions of this act.

Collection and
settlement.

Election for
special tax.

SEC. 49. That the board of road trustees of any township in Ashe County may, upon a petition filed before them, signed by fifty freeholders in said township, in their discretion, order an election to be held for a special tax not to exceed twenty-five cents on each one hundred dollars worth of property in said township, for road purposes; said election to be held under the provisions of the general law for holding county elections, so far as the same would

Law governing
elections.